S.B.CRIMINAL MISC. BAIL APPLICATION NO.4571/2007
(Rajkamal alias R.K.Shah vs. State of Rajasthan)

DATE OF ORDER : September 18, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Mridul Jain, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioner that on the relevant date of occurrence, the petitioner was hospitalized. He has shown me a prescription slip and record of the hospital of Dr.Mona Shah, M.D., DNB (Endo, AIIMS), Consultant Endocrinologist & Diabetologist. The allegation against the petitioner is that he was only the owner of the vehicle and there is no involvement of the petitioner in transporting the illicit liquor.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by the petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Rajkamal alias R.K.Shah s/o Kanhaiya Lal Ji Shah in FIR No.184/2007, Police Station, Sadar, Banswara, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-